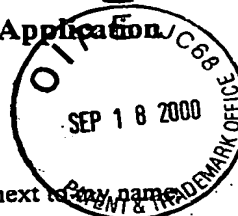


# Declaration for Patent Application



SKGF Ref. No.: 0623.0820001  
K&S Ref. No.: P20493US/NJL  
U.S. Appl. No. 09/518,190

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled Regulation of Protein Secretion, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on March 2, 2000;  
as United States Application Number 09/518,190; and  
was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed
<u>GB9718908.8</u> (Application No.)	<u>United Kingdom</u> (Country)	<u>5 September 1997</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Application No.)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>                    </u> (Application No.)	<u>                    </u> (Filing Date)
<u>                    </u> (Application No.)	<u>                    </u> (Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>PCT/GB98/02664</u> (Application No.)	<u>September 4, 1998</u> (Filing Date)	<u>Pending</u> (Status - patented, pending, abandoned)
<u>                    </u> (Application No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Status - patented, pending, abandoned)

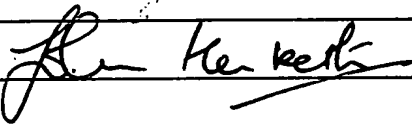
Send Correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934

Direct Telephone Calls to:

(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor John Edward Hesketh
Signature of sole or first inventor  ✓ 11/Sept./2000 Date
Residence United Kingdom
Citizenship United Kingdom
Post Office Address Department of Nutritional & Biological Sciences, University of Newcastle King's Road, Newcastle, NE1 7RU United Kingdom
Full name of second inventor Albert Tauler
Signature of second inventor ✓ Date
Residence Spain
Citizenship Spain
Post Office Address Departament de Bioquímica i Biologia Molecular, Div. IV Facultat de Farmàcia, Universitat de Barcelona. Av. Diagonal, 643 08028, Barcelona Spain
Full name of third inventor Ian Fraser Pryme
Signature of second inventor ✓ Date
Residence Norway
Citizenship United Kingdom
Post Office Address Department of Biochemistry and Molecular Biology University of Bergen, Arstadveien 19, NO-5009 Bergen Norway

# Declaration for Patent Application



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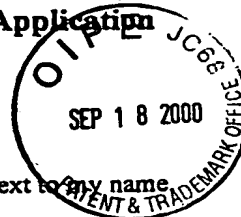
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Full name of sole or first inventor	
John Edward Hesketh	
Signature of sole or first inventor	Date
Residence	
United Kingdom	
Citizenship	
United Kingdom	
Post Office Address	
Department of Nutritional & Biological Sciences, University of Newcastle King's Road, Newcastle, NE1 7RU United Kingdom	
Full name of second inventor	
Albert Tauler	
Signature of second inventor	Date
	September 6, 2000
Residence	
Spain	
Citizenship	
Spain	
Post Office Address	
Departament de Bioquímica i Biologia Molecular, Div. IV Facultat de Farmàcia, Universitat de Barcelona, Av. Diagonal, 643 08028, Barcelona Spain	
Full name of third inventor	
Ian Fraser Pryme	
Signature of second inventor	Date
Residence	
Norway	
Citizenship	
United Kingdom	
Post Office Address	
Department of Biochemistry and Molecular Biology University of Bergen, Arstadveien 19, NO-5009 Bergen Norway	

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\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

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PCT/GB98/02664  
(Application No.)

September 4, 1998  
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Pending  
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Full name of sole or first inventor John Edward Hesketh	
Signature of sole or first inventor ✓	Date
Residence United Kingdom	
Citizenship United Kingdom	
Post Office Address Department of Nutritional & Biological Sciences, University of Newcastle King's Road, Newcastle, NE1 7RU United Kingdom	
Full name of second inventor Albert Tauler	
Signature of second inventor ✓	Date
Residence Spain	
Citizenship Spain	
Post Office Address Departament de Bioquímica i Biologia Molecular, Div. IV Facultat de Farmàcia, Universitat de Barcelona, Av. Diagonal, 643 08028, Barcelona Spain	
Full name of third inventor Ian Fraser Pryme	
Signature of <sup>third</sup> <del>second</del> inventor ✓ <i>corrected IFP</i>	Date 050900 <i>Ian F. Pryme</i>
Residence Norway	
Citizenship United Kingdom	
Post Office Address Department of Biochemistry and Molecular Biology University of Bergen, Arstadveien 19, NO-5009 Bergen Norway	

## POWER OF ATTORNEY FROM ASSIGNEE WITH DELEGATION

Rowett Research Services Limited, having a principal place of business at Greenburn Road, Bucksburn, Aberdeen AB21 9SB, United Kingdom, is assignee of the entire right, title, and interest for the United States of America (as defined in 35 U.S.C. §100), by reason of an Assignment to the Assignee executed on ✓ 5th, 6th and 11th September 2000 of an invention known as Regulation of Protein Secretion (Attorney Docket No. 0623.0820001/REF/PSC), which is disclosed and claimed in a patent application of the same title by the inventors John Edward Hesketh, Albert Tauler, and Ian Fraser Pryme (said application filed on March 2, 2000 at the U.S. Patent and Trademark Office, having Application Number 09/518,190). E1 30,608

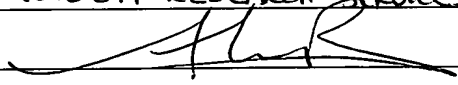
The Assignee hereby appoints the following U.S. attorneys to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith: Robert Greene Sterne, Registration No. 28,912; Edward J. Kessler, Registration No. 25,688; Jorge A. Goldstein, Registration No. 29,021; Samuel L. Fox, Registration No. 30,353; David K.S. Cornwell, Registration No. 31,944; Robert W. Esmond, Registration No. 32,893; Tracy-Gene G. Durkin, Registration No. 32,831; Michele A. Cimbala, Registration No. 33,851; Michael B. Ray, Registration No. 33,997; Robert E. Sokohl, Registration No. 36,013; Eric K. Steffe, Registration No. 36,688; Michael Q. Lee, Registration No. 35,239; Steven R. Ludwig, Registration No. 36,203; Raz E. Fleshner, Registration No. 34,331; John M. Covert, Registration No. 38,759; and Linda E. Alcorm, Registration No. 39,588. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

The Assignee hereby authorizes the U.S. attorneys named herein to accept and follow instructions from Kilburn & Strode, 20 Red Lion Street, London WC1R 4PJ, ENGLAND as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the Assignee. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the Assignee.

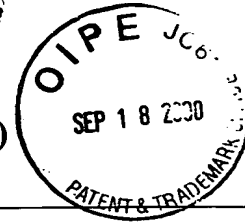
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STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
U.S.A.

Direct phone calls to 202-371-2600.

FOR: ✓ ROWETT RESEARCH SERVICES LTD  
SIGNATURE: ✓   
BY: ✓ D.R.A.M. ROWE  
TITLE: ✓ CHIEF EXECUTIVE OFFICER.  
DATE: ✓ 30/08/00

Certificate Under 37 C.F.R. § 3.73(b)



Applicant: Hesketh et al.

Application No.: 09/518,190

Filed: March 2, 2000

Entitled: Regulation of Protein Secretion

Rowett Research Services Limited

(Name of Assignee)

, a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel to be recorded, Frame to be recorded, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

**[NOTE:]** A separate copy (*i.e.*, the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: ☒ 30/08/00

Name: ☒ DR A.M. ROWE

Title: ☒ CHIEF EXECUTIVE OFFICER

Signature: ☒ [Signature]



**DO NOT FORWARD  
TO ASSIGNMENT BRANCH  
NOT FOR RECORDATION**

SKGF Ref. No: 0623.0820001  
K&S Ref. No: P20493US/NJL  
U.S. Appl. No. 09/518,190

**ASSIGNMENT**

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned inventors: John Edward Hesketh, Albert Tauler, and Ian Fraser Pryme, the undersigned inventors hereby sell and assign to Rowett Research Services Limited, a corporation organized and existing under the laws of Scotland, having an office and place of business at Greenburn Road, Bucksburn, Aberdeen AB21 9SB, United Kingdom (the Assignee), their entire right, title and interest, including the right to sue for past infringement and to collect for all past, present and future damages:

*check applicable box(es)* ☒ for the United States of America (as defined in 35 U.S.C. § 100),  
☒ and throughout the world,

(a) in the invention known as Regulation of Protein Secretion for which application(s) for patent in the United States of America has (have) been executed by the undersigned on ✓ September 6, 2000 (also known as United States Application No. 09/518,190, filed March 2, 2000), in any and all applications thereon, in any and all Letters Patent(s) therefor, and

(b) in any and all applications that claim the benefit of the patent application listed above in part (a), including continuing applications, reissues, extensions, renewals and reexaminations of the patent application or Letters Patent therefor listed above in part (a), to the full extent of the term or terms for which Letters Patents issue, and

(c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor: and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

all such rights, title and interest to be held and enjoyed by the above-named Assignee, its successors, legal representatives and assigns to the same extent as all such rights, title and interest would have been held and enjoyed by the Assignor had this assignment and sale not been made.

The undersigned inventors agree to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such application(s) as the Assignee may deem necessary or expedient.

The undersigned inventors agree to execute all papers necessary in connection with any interference or patent enforcement action (judicial or otherwise) related to the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application(s) thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or patent enforcement action.

The undersigned inventors hereby represent that they have full right to convey the entire interest herein assigned, and that they have not executed, and will not execute, any agreement in conflict therewith.

The undersigned inventors hereby grant Robert Greene Sterne, Esquire, Registration No. 28,912; Edward J. Kessler, Esquire, Registration No. 25,688; Jorge A. Goldstein, Esquire, Registration No. 29,021; Samuel L. Fox, Esquire, Registration No. 30,353; David K.S. Cornwell, Esquire, Registration No. 31,944; Robert W. Esmond, Esquire, Registration No. 32,893; Tracy-Gene G. Durkin, Esquire, Registration No. 32,831; Michele A. Cimbala, Esquire, Registration No. 33,851; Michael B. Ray, Esquire, Registration No. 33,997; Robert E. Sokohl, Esquire, Registration No. 36,013; Eric K. Steffe, Esquire, Registration No. 36,688; Michael Q. Lee, Esquire, Registration No. 35,239; Steven R. Ludwig, Esquire, Registration No. 36,203; Raz E. Fleshner, Esquire, Registration No. 34,331; John M. Covert, Esquire, Registration No. 38,759; and Linda E. Alcorn, Esquire, Registration No. 39,588; all of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Suite 600, Washington, D.C. 20005-3934, power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned inventors on the date opposite their name.

Date: ☒ \_\_\_\_\_ Signature of Inventor: ☒ \_\_\_\_\_  
John Edward Hesketh

Date: ☒ September 6, 2000 Signature of Inventor: ☒ \_\_\_\_\_  
Albert Tauter

Date: ☒ \_\_\_\_\_ Signature of Inventor: ☒ \_\_\_\_\_  
Ian Fraser Pryme

P:\USERS\PChe\0623\0820001\62382-1.asg

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TO ASSIGNMENT BRANCH  
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SKGF Ref. No: 0623.0820001  
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☒ and throughout the world,

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(c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor; and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

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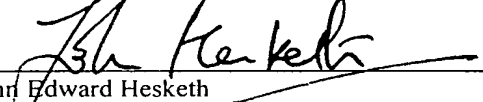
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K&S Ref. No: P20493US/NJL  
U.S. Appl. No. 09/518,190

The undersigned inventors hereby grant Robert Greene Sterne, Esquire, Registration No. 28,912; Edward J. Kessler, Esquire, Registration No. 25,688; Jorge A. Goldstein, Esquire, Registration No. 29,021; Samuel L. Fox, Esquire, Registration No. 30,353; David K.S. Cornwell, Esquire, Registration No. 31,944; Robert W. Esmond, Esquire, Registration No. 32,893; Tracy-Gene G. Durkin, Esquire, Registration No. 32,831; Michele A. Cimbala, Esquire, Registration No. 33,851; Michael B. Ray, Esquire, Registration No. 33,997; Robert E. Sokohl, Esquire, Registration No. 36,013; Eric K. Steffe, Esquire, Registration No. 36,688; Michael Q. Lee, Esquire, Registration No. 35,239; Steven R. Ludwig, Esquire, Registration No. 36,203; Raz E. Fleshner, Esquire, Registration No. 34,331; John M. Covert, Esquire, Registration No. 38,759; and Linda E. Alcorn, Esquire, Registration No. 39,588; all of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Suite 600, Washington, D.C. 20005-3934, power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned inventors on the date opposite their name.

Date: ✓ 11/Sept./00 Signature of Inventor: ✓   
John Edward Hesketh

Date: ✓ Signature of Inventor: ✓  
Albert Tauler

Date: ✓ Signature of Inventor: ✓  
Ian Fraser Pryme

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DO NOT FORWARD  
TO ASSIGNMENT BRANCH  
NOT FOR RECORDATION

SKGF Ref. No: 0623.0820001  
K&S Ref. No: P20493US/NJL  
U.S. Appl. No. 09/518,190

## ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned inventors: John Edward Hesketh, Albert Tauler, and Ian Fraser Pryme, the undersigned inventors hereby sell and assign to Rowett Research Services Limited, a corporation organized and existing under the laws of Scotland, having an office and place of business at Greenburn Road, Bucksburn, Aberdeen AB21 9SB, United Kingdom (the Assignee), their entire right, title and interest, including the right to sue for past infringement and to collect for all past, present and future damages:

*check applicable box(es)* ☒ for the United States of America (as defined in 35 U.S.C. § 100),  
☒ and throughout the world,

(a) in the invention known as Regulation of Protein Secretion for which application(s) for patent in the United States of America has (have) been executed by the undersigned on ☒ September 5, 2000  
(also known as United States Application No. 09/518,190, filed March 2, 2000), in any and all applications thereon, in any and all Letters Patent(s) therefor, and

(b) in any and all applications that claim the benefit of the patent application listed above in part (a), including continuing applications, reissues, extensions, renewals and reexaminations of the patent application or Letters Patent therefor listed above in part (a), to the full extent of the term or terms for which Letters Patents issue, and

(c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor: and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

all such rights, title and interest to be held and enjoyed by the above-named Assignee, its successors, legal representatives and assigns to the same extent as all such rights, title and interest would have been held and enjoyed by the Assignor had this assignment and sale not been made.

The undersigned inventors agree to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such application(s) as the Assignee may deem necessary or expedient.

The undersigned inventors agree to execute all papers necessary in connection with any interference or patent enforcement action (judicial or otherwise) related to the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application(s) thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or patent enforcement action.

The undersigned inventors hereby represent that they have full right to convey the entire interest herein assigned, and that they have not executed, and will not execute, any agreement in conflict therewith.

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IN WITNESS WHEREOF, executed by the undersigned inventors on the date opposite their name.

Date: ☒ \_\_\_\_\_ Signature of Inventor: ☒ \_\_\_\_\_  
John Edward Hesketh

Date: ☒ \_\_\_\_\_ Signature of Inventor: ☒ \_\_\_\_\_  
Albert Tauler

Date: ☒ 5. September 2000 Signature of Inventor: ☒  \_\_\_\_\_  
Ian Fraser Pryme

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